

Republic of the Philippines
HOUSE OF REPRESENTATIVES
 Constitution Hills, Quezon City

NINETEENTH CONGRESS
 First Regular Session

House Bill No. **6852**



Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

EXPLANATORY NOTE

For the past years, the Department of Education (DepEd) has been concentrating mainly on the needs of public schools. Although problems in the public educational institution are enormous and deserving of much attention, the DepEd should not lose sight of the whole picture. Private Education also has its own problems, wants, and areas for improvement which have to be addressed and resolved as well. Yet, it cannot be denied that only limited time and efforts are given to private schools.

To illustrate, DepEd assigns only one supervisor in charge of one division which houses many private schools. It is noteworthy that despite Metro Manila having close to 2,000 private schools, since there are only 16 divisions therein; accordingly, there are only 16 supervisors which oversee all these private schools. Clearly, there is a shortage of supervisors for private schools; and usually, the same supervisors are also tasked to attend to other assignments such as scouting, nutrition, teaching, and lastly, the organization and management of the private schools.

Considering the dilemma faced by the private schools, it is about time that a bureau is created that will exclusively cater to the needs of private education specifically in the private elementary and high school sectors.

Through the creation of the Bureau of Private Schools, all matters concerning private education in private elementary and high schools shall all be directed to a centralized department. All concerns, problems, transactions, and activities relating to private schools will now be heard and catered to immediately by the said Bureau. By doing this, the DepEd's load of work will definitely be lessened and unclogged. On the other hand, meeting the concerns of the private elementary and high schools will be fast tracked.

Clearly, the creation of the Bureau of Private Schools promises more efficiency and output. Moreover, it also ensures that all problems — whether coming from public or private schools, will be attended to extensively.

It is for this reason that the approval of this Bill is hereby being sought.



EDWIN L. OLIVAREZ

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AN ACT ESTABLISHING A BUREAU OF PRIVATE SCHOOLS TO ADMINISTER, SUPERVISE, AND REGULATE PRIVATE SCHOOLS OFFERING PRIMARY AND SECONDARY EDUCATION IN THE COUNTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

SECTION 1. *Title.* This Act shall be known as the “Bureau of Private Schools for Primary and Secondary Education Act of 2023.”

SECTION 2. *Declaration of Policy.* The state shall protect, foster, and promote the right of all citizens to affordable quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all. The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance for the continuing intellectual growth, and the advancement of learning.

SECTION 3. *Coverage and Limitation.* It is understood that the provisions of this act shall only cover activities and other concerns or matters relating to private colleges or institutions offering primary and/or secondary. The Bureau shall be under the direct control and supervision of the Department of Education (DepEd) and in no case shall the former interfere or transgress with the powers of the DepEd unless otherwise expressly stated in this Act.

SECTION 4. *Creation of the Bureau.* Pursuant to the abovementioned policies, the Bureau of Private Schools is hereby created, hereinafter referred to as the Bureau. The Bureau shall be responsible for administering, supervising, and regulating all private schools offering primary and/or secondary education. The Bureau shall be under the direct control of the DepEd but it shall function mainly for the purpose of centralizing the administration of all concerns relating only to private schools.

SECTION 5. *Composition of the Bureau.* The Bureau shall be composed of a Chief Director and four (4) full-time Assistant Directors to assist the Chief Director. There shall also be appointed Regional Directors for each region. The Chief Director, Assistant Directors and Regional Directors shall be appointed by the President and they shall hold office until their successors have been appointed and qualified. The Chief Director, Assistant Directors, and Regional Directors should at least be a holder of post graduate courses.

SECTION 6. *Powers and functions of the Bureau.* With respect to private schools, the DepEd shall devolve the following powers and functions to the Bureau:

- a. Formulate and recommend development plans, policies, priorities, and programs for private primary and secondary education;
- b. Recommend to the executive and legislative branches, priorities, and grants on basic and secondary education;
- c. Set minimum standards for programs and institutions of learning subject to public hearing, and enforce the same;
- d. Monitor and evaluate the performance of programs and institutions of basic learning for appropriate incentives as well as the imposition of sanctions such as, but not limited to, diminution or withdrawal of subsidy, recommendation on the downgrading or withdrawal of accreditation, program termination or school closure;
- e. Identify, support, and develop potential centers of excellence in program areas needed for the development of world-class scholarship, nation building and national development;
- f. Rationalize programs and institutions of primary and/or secondary learning and set standards, policies, and guidelines for the creation of new ones, subject to budgetary limitations and the number of institutions of private primary and/or secondary learning in the province or region where creation, conversion or elevation is sought to be made;
- g. Review the policies, guidelines, and other rules and regulations issued by private schools and/or private institutions offering primary and/or secondary education;

- h. Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purpose and objectives of this act; and
- i. Perform such other functions as may be necessary for its effective operations and for the continued enhancement, growth or development of private primary and/or secondary education.

SECTION 7. *Guarantee of Academic Freedom.* Nothing in this act shall be construed as limiting the academic freedom of private schools or institutions. In particular, no abridgement of curricular freedom of the individual educational institutions by the Bureau shall be made except for:

- a. Minimum unit requirements for specific academic programs;
- b. General education distribution requirements as may be determined and;
- c. Recommendation of tuition ceiling and/or tuition increase rate.

SECTION 8. *Accreditation.* The Bureau shall provide incentives to private institutions of primary and/or secondary education whose programs are accredited or whose needs for accreditation purposes.

SECTION 9. *Authority.* The Bureau shall exercise such authority as may be deemed necessary within its premises or areas of operation to effectively carry out its powers and functions to attain its objectives. Provided, that the DepEd may at any time order the Bureau to desist from exercising certain powers and functions that are inconsistent with that of DepEd and other government agencies.

SECTION 10. *Budget Appropriation.* The funding for the creation Bureau of Private Schools shall be sourced from the budget allotted to DepEd and shall be included in the annual General Appropriations Act.

SECTION 11. *Implementing Rules and Regulations.* Unless otherwise provided by this act, the DepEd shall promulgate the Implementing Rules and Regulations to carry out the provisions of this act.

Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

SECTION 12. *Repealing Clause.* All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

SECTION 13. *Separability Clause.* In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SECTION 14. *Effectivity Clause.* This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED